

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

DOCKET NO. 3:08-cv-00525-FDW

**APEX HOMES, INC. and LEONARD R.
WATTS,**

Plaintiffs,

vs.

**MANAGEMENT SOLUTIONS, INC.,
WENDELL JACOBSON and SUMMIT
SHORES, LLC ,**


Defendants.

ORDER

By consent of the parties, as indicated by the signatures of their respective counsel below, the Court does hereby FURTHER EXTEND the Temporary Restraining Order entered in this case by the Superior Court for Mecklenburg County, North Carolina, the Honorable Robert C. Ervin presiding, pursuant to Rule 65(b)(2) of the Federal Rules of Civil Procedure, through December 10, 2008 at 5:00 PM, for the reason that the parties agree that such further extension will promote the possibility of resolution of the controversy and convenience in scheduling further proceedings on the motion for preliminary injunction in the event they are needed, and does REMAND this action to the Superior Court for Mecklenburg County, North Carolina. No party waives any argument concerning the merits, including, but not limited to, disputing the membership of any member in Summit Shores, LLC.

IT IS SO ORDERED

Signed: November 21, 2008



Frank D. Whitney
United States District Judge



CONSENTED TO:

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